**IN WITNESS WHEREOF**, the undersigned have caused this Settlement Agreement to be executed as of the dates set forth below:

**FOR THE FREY DEFENDANTS:**

James Frey

Date: 1/2/07

James Frey
Big Jim Industries, Inc.

Date: 1/2/07

Maya Frey

Date: 1/2/07

Derek J. Meyer
McDermott Will & Emery LLP
227 West Monroe Street, Suite 4400
Chicago, Illinois 60606
*Attorney for the Frey Defendants*

Date: 1/2/07

**FOR THE RANDOM HOUSE DEFENDANTS:**

Robert Sorrentino
Senior Vice President, Taxes, Random House, Inc.

Date:

Robert Sorrentino
President, Doubleday & Company, Inc.

Date:

Robert Sorrentino
Vice President, Taxes, Random House VG, Inc.

Date:

Mark B. Blocker
Sidley Austin LLP
One South Dearborn
Chicago, Illinois 60603
*Attorney for the Random House Defendants*

Date:

Dockets.Justia.com

**IN WITNESS WHEREOF**, the undersigned have caused this Settlement Agreement to be executed as of the dates set forth below:

**FOR THE FREY DEFENDANTS:**

______________________________
James Frey

Date:________________

______________________________
James Frey
Big Jim Industries, Inc.

Date:________________

______________________________
Maya Frey

Date:________________

______________________________
Derek J. Meyer
McDermott Will & Emery LLP
227 West Monroe Street, Suite 4400
Chicago, Illinois 60606
*Attorney for the Frey Defendants*

Date:________________

**FOR THE RANDOM HOUSE DEFENDANTS:**

[signature]
Robert Sorrentino
Senior Vice President, Taxes, Random House, Inc.

Date: 12/15/06

[signature]
Robert Sorrentino
President, Doubleday & Company, Inc.

Date: 12/15/06

[signature]
Robert Sorrentino
Vice President, Taxes, Random House VG, Inc.

Date: 12/15/06

Mark B. Blocker (signature)
Mark B. Blocker
Sidley Austin LLP
One South Dearborn
Chicago, Illinois 60603
*Attorney for the Random House Defendants*

Date: 12/28/2006

**FOR THE PLAINTIFFS:**

Plaintiff Marcia Vedral

Date: 12/6/06

Larry D. Drury
Larry D. Drury Ltd.
205 W. Randolph Street, Suite 1430
Chicago, Illinois 60606
*Proposed Co-Lead Class Counsel*
*Attorney for Plaintiff Marcia Vedral*

Date: 12-6-06

Plaintiff Michele Snow

Date: 12-6-06

Evan J. Smith, Esquire
Brodsky & Smith, LLC
Two Bala Plaza, Suite 602
Bala Cynwyd, PA 19004
(610) 667-6200
*Proposed Co- Lead Class Counsel*
*Attorney for Plaintiff Michele Snow*

Date: 12-6-06

Plaintiff Jennifer Cohn

Date:

Thomas Mullaney
708 Third Avenue, Suite 2500
New York, New York 10017
Phone: (212) 223-0800
*Liaison Class Counsel*
*Attorneys for Plaintiff Jennifer Cohn*

Date:

Plaintiff Ann Marie Strack

Date:

Thomas A. Zimmerman, Jr.
Zimmerman and Associates, P.C.
100 West Monroe Street, Suite 1300
Chicago, Illinois 60603
*Attorney or Plaintiff Ann Marie Strack*

Date:

**FOR THE PLAINTIFFS:**

______________________________
Plaintiff Marcia Vedral

Date:________________

______________________________
Plaintiff Michele Snow

Date:________________

______________________________
Larry D. Drury
Larry D. Drury Ltd.
205 W. Randolph Street, Suite 1430
Chicago, Illinois 60606
*Proposed Co-Lead Class Counsel*
*Attorney for Plaintiff Marcia Vedral*

Date:________________

______________________________
Evan J. Smith, Esquire
Brodsky & Smith, LLC
Two Bala Plaza, Suite 602
Bala Cynwyd, PA 19004
(610) 667-6200
*Proposed Co- Lead Class Counsel*
*Attorney for Plaintiff Michele Snow*

Date:________________

Diane Marolda
Plaintiff Diane Marolda

Date: 12/7/06

______________________________
Plaintiff Ann Marie Strack

Date:________________

______________________________
Thomas Mullaney
708 Third Avenue, Suite 2500
New York, New York 10017
Phone: (212) 223-0800
*Liaison Class Counsel*
*Attorneys for Plaintiff Diane Marolda*

Date: 12.5.2006

______________________________
Thomas A. Zimmerman, Jr.
Zimmerman and Associates, P.C.
100 West Monroe Street, Suite 1300
Chicago, Illinois 60603
*Attorney or Plaintiff Ann Marie Strack*

Date:________________

**FOR THE PLAINTIFFS:**

Plaintiff Marcia Vedral

Date:________________

Plaintiff Michele Snow

Date:________________

Larry D. Drury
Larry D. Drury Ltd.
205 W. Randolph Street, Suite 1430
Chicago, Illinois 60606
*Proposed Co-Lead Class Counsel*
*Attorney for Plaintiff Marcia Vedral*

Date:________________

Evan J. Smith, Esquire
Brodsky & Smith, LLC
Two Bala Plaza, Suite 602
Bala Cynwyd, PA 19004
(610) 667-6200
*Proposed Co- Lead Class Counsel*
*Attorney for Plaintiff Michele Snow*

Date:________________

Plaintiff Jennifer Cohn

Date:________________

Plaintiff Ann Marie Strack

Date: 12-8-06

Thomas Mullaney
708 Third Avenue, Suite 2500
New York, New York 10017
Phone: (212) 223-0800
*Liaison Class Counsel*
*Attorneys for Plaintiff Jennifer Cohn*

Date:________________

Thomas A. Zimmerman, Jr.
Zimmerman and Associates, P.C.
100 West Monroe Street, Suite 1300
Chicago, Illinois 60603
*Attorney or Plaintiff Ann Marie Strack*

Date: 12-11-2006

Jimmy Floyd

Plaintiff Jimmy Floyd

Date: 1/4/07

Alan S. Ripka

Alan S. Ripka
Napoli Bern Ripka LLP
115 Broadway
New York, New York 10006
*Attorney for Plaintiff Jimmy Floyd*

Date: December 5, 2006

Plaintiff Jill Giles

Date:________________

Alan J. Statman
Colleen M. Hegge (of counsel)
2900 Chemed Center
255 East Fifth Street
Cincinnati. Ohio 45202
*Attorneys for Plaintiff Jill Giles*

Date:________________

Plaintiff Pilar More

Date:________________

Thomas E. Pakenas
Dale and Pakenas
641 W. Lake Street, Suite 400
Chicago, Illinois 60661
*Attorneys for Plaintiff Pilar More*

Date:________________

Plaintiff Shera Paglinawan

Date:________________

Michael David Myers
Myers & Company, P.L.L.C.
1809 Seventh Avenue, Suite 700
Seattle, Washington 98101
*Attorney for Plaintiff Shera Paglinawan*

Date:________________

Plaintiff Sara Brackenrich

Date:________________

Vincent L. DiTommaso
DiTommaso & Lubin, PC
17W 220 22nd Street, Suite 200
Oakbrook Terrance, Illinois 61081
*Attorney for Plaintiff Sara Brackenrich*

Date:________________

Plaintiff Jimmy Floyd

Date:_______________

Alan S. Ripka
Napoli Bern Ripka LLP
115 Broadway
New York, New York 10006
*Attorney for Plaintiff Jimmy Floyd*

Date: 11/29/06

Plaintiff Pilar More

Date: 11/29/06

Thomas E. Pakenas
Dale and Pakenas
641 W. Lake Street, Suite 400
Chicago, Illinois 60661
*Attorneys for Plaintiff Pilar More*

Date:_______________

Plaintiff Sara Brackenrich

Date:_______________

Vincent L. DiTommaso
DiTommaso & Lubin, PC
17W 220 22nd Street, Suite 200
Oakbrook Terrance, Illinois 61081
*Attorney for Plaintiff Sara Brackenrich*

Date:_______________

Plaintiff Jill Giles

Date:_______________

Alan J. Statman
Colleen M. Hegge (of counsel)
2900 Chemed Center
255 East Fifth Street
Cincinnati, Ohio 45202
*Attorneys for Plaintiff Jill Giles*

Date:_______________

Plaintiff Shera Paglinawan

Date:_______________

Michael David Myers
Myers & Company, P.L.L.C.
1809 Seventh Avenue, Suite 700
Seattle, Washington 98101
*Attorney for Plaintiff Shera Paglinawan*

Date:_______________

Plaintiff Jimmy Floyd

Date:________________

Alan S. Ripka
Napoli Bern Ripka LLP
115 Broadway
New York, New York 10006
*Attorney for Plaintiff Jimmy Floyd*

Date:________________

Plaintiff Jill Giles

Date:________________

Alan J. Statman
Colleen M. Hegge (of counsel)
2900 Chemed Center
255 East Fifth Street
Cincinnati, Ohio 45202
*Attorneys for Plaintiff Jill Giles*

Date:________________

Plaintiff Pilar More

Date:________________

Thomas E. Pakenas
Dale and Pakenas
641 W. Lake Street, Suite 400
Chicago, Illinois 60661
*Attorneys for Plaintiff Pilar More*

Date:________________

Plaintiff Shera Paglinawan

Date:________________

Plaintiff Wendy Shaw

Date:________________

Michael David Myers
Myers & Company, P.L.L.C.
1809 Seventh Avenue, Suite 700
Seattle, Washington 98101
*Attorney for Plaintiff Shera Paglinawan*

Date:________________

Plaintiff Sara Brackenrich

Date: 20 Nov. 06

Vincent L. DiTommaso
DiTommaso & Lubin, PC

______________________________
Plaintiff Jimmy Floyd

Date:________________

______________________________
Alan S. Ripka
Napoli Bern Ripka LLP
115 Broadway
New York, New York 10006
*Attorney for Plaintiff Jimmy Floyd*

Date:________________

______________________________
Plaintiff Pilar More

Date:________________

______________________________
Thomas E. Pakenas
Dale and Pakenas
641 W. Lake Street, Suite 400
Chicago, Illinois 60661
*Attorneys for Plaintiff Pilar More*

Date:________________

______________________________
Plaintiff Sara Brackenrich

Date:________________

______________________________
Vincent L. DiTommaso
DiTommaso & Lubin, PC
17W 220 22nd Street, Suite 200
Oakbrook Terrance, Illinois 61081
*Attorney for Plaintiff Sara Brackenrich*

Date:________________

Jill Giles / by her attorney [signature]
Plaintiff Jill Giles

Date: 12-7-06

[signature]
Alan J. Statman
Colleen M. Hegge (of counsel)
2900 Chemed Center
255 East Fifth Street
Cincinnati, Ohio 45202
*Attorneys for Plaintiff Jill Giles*

Date: 12-7-06

______________________________
Plaintiff Shera Paglinawan

Date:________________

______________________________
Michael David Myers
Myers & Company, P.L.L.C
1809 Seventh Avenue, Suite 700
Seattle, Washington 98101
*Attorney for Plaintiff Shera Paglinawan*

Date:________________

Plaintiff Jimmy Floyd

Date:

Alan S. Ripka
Napoli Bern Ripka LLP
115 Broadway
New York, New York 10006
*Attorney for Plaintiff Jimmy Floyd*

Date:

Plaintiff Pilar More

Date:

Thomas E. Pakenas
Dale and Pakenas
641 W. Lake Street, Suite 400
Chicago, Illinois 60661
*Attorneys for Plaintiff Pilar More*

Date:

Plaintiff Sara Brackenrich

Date:

Vincent L. DiTommaso
DiTommaso & Lubin, PC

Plaintiff Jill Giles

Date:

Alan J. Statman
Colleen M. Hegge (of counsel)
2900 Chemed Center
255 East Fifth Street
Cincinnati, Ohio 45202
*Attorneys for Plaintiff Jill Giles*

Date:

Plaintiff Shera Paglinawan

Date: 3 Dec. 2006

Plaintiff Wendy Shaw

Date:

Michael David Myers
Myers & Company, P.L.L.C.
1809 Seventh Avenue, Suite 700
Seattle, Washington 98101
*Attorney for Plaintiff Shera Paglinawan*

Date: 12 · 3 · 2006

______________________
Plaintiff Jimmy Floyd

Date:______________

______________________
Alan S. Ripka
Napoli Bern Ripka LLP
115 Broadway
New York, New York 10006
*Attorney for Plaintiff Jimmy Floyd*

Date:______________

______________________
Plaintiff Pilar More

Date:______________

______________________
Thomas E. Pakenas
Dale and Pakenas
641 W. Lake Street, Suite 400
Chicago, Illinois 60661
*Attorneys for Plaintiff Pilar More*

Date:______________

______________________
Plaintiff Sara Brackenrich

Date:______________

______________________
Vincent L. DiTommaso
DiTommaso & Lubin, PC

______________________
Plaintiff Jill Giles

Date:______________

______________________
Alan J. Statman
Colleen M. Hegge (of counsel)
2900 Chemed Center
255 East Fifth Street
Cincinnati, Ohio 45202
*Attorneys for Plaintiff Jill Giles*

Date:______________

______________________
Plaintiff Shera Paglinawan

Date:______________

______________________
Plaintiff Wendy Shaw

Date: 12/2/06

______________________
Michael David Myers
Myers & Company, P.L.L.C.
1809 Seventh Avenue, Suite 700
Seattle, Washington 98101
*Attorney for Plaintiff Shera Paglinawan*

Date:______________